

United States Senate

WASHINGTON, DC 20510-2602

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The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, District of Columbia 20460-0001



Dear Administrator Jackson:

I am writing regarding the EPA Superfund Record of Decision for Libby Montana OUI and 2. As you know, my overarching goal is to ensure the health of the community is protected and that the community's concerns regarding the adequacy of the cleanup are addressed. Since our last correspondence in November and December 2009 our staffs have met regularly regarding the Agency's plans. The results of those conversations have yielded the following EPA commitments, which I would like to confirm with you:

1. Post-remediation sampling - EPA will conduct sampling after the remedy is complete to confirm that the ROD objectives are met and all remaining soil pathways at the site are eliminated.
2. Public Involvement in Planning - the Agency's development of operation and maintenance, institutional control and any other plans heeded to implement the selected remedy will ensure robust public involvement in both the process and substance.
3. Risk Assessments and Toxicity Studies - the Agency will expeditiously complete work on the risk assessments and toxicity studies for the Libby site expected Spring 2015.
4. Re-evaluation of the Remedy - Upon completion of the risk assessment and toxicity studies, the Agency will re-evaluate the ROD for OUI and 2 to determine if modifications to the selected remedy are required. This re-evaluation will begin immediately upon completion of the risk assessment, regardless of the status of the five - year reviews required by statute.
5. Incorporation of Final Assessments and Studies in Remedy - the Agency will integrate the results of the final Libby asbestos risk assessments and toxicity studies into the remedy through, as appropriate, remedy amendments or other revisions to the remedial assumptions, objectives and controls.
6. Five-Year Reviews - the Agency will fully meet the letter and spirit of its statutory requirement to review the remedy every five years to ensure it is protective and will continue to protect human health and the environment in the future.
7. Protection of the Health of Libby - the Agency will continue to provide updates and information on any other matters that impact the effectiveness of the remedy.

Thank you for your quick response confirming these items.

Sincerely,